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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-95497; File No. SR-CboeEDGX-2022-004]

This document is scheduled to be published in the Federal Register on 08/18/2022 and available online at [federalregister.gov/d/2022-17748](https://www.federalregister.gov/d/2022-17748), and on [govinfo.gov](https://www.govinfo.gov)

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Withdrawal of a Proposed Rule Change to Codify Certain Practices and Requirements Related to the Exchange's Port Message Rate Thresholds

August 12, 2022.

On January 21, 2022, Cboe EDGX Exchange, Inc. (“Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b–4 thereunder,² a proposed rule change to codify certain practices and requirements related to the Exchange’s port message rate thresholds. The proposed rule change was published for comment in the Federal Register on February 9, 2022.³ On March 23, 2022, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On May 10, 2022, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the proposed rule change.⁷ The Commission has received no comment letters on the proposed rule change. On July 21, 2022, the Exchange withdrew the proposed rule change (CboeEDGX-2022-004).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 94144 (February 3, 2022), 87 FR 7519.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 94496, 87 FR 18410 (March 30, 2022). The Commission designated May 10, 2022 as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 94883, 87 FR 29776 (May 16, 2022).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁸

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2022-17748 Filed: 8/17/2022 8:45 am; Publication Date: 8/18/2022]

⁸ 17 CFR 200.30-3(a)(12).